

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CASE NO.3: 23-cv- 00414

HALEEM GILLILAND,

Plaintiff,

v.

GARRY L. MCFADDEN, individually
and in his official capacity as Sheriff of
Mecklenburg County; PLATTE RIVER
INSURANCE COMPANY, a
corporation in its capacity as Surety on
the official bond of the Sheriff of
Mecklenburg County and KYLE
GARRETT HARRIS, individually and
in his official capacity as a Detention
Officer of Mecklenburg County

Defendants

**MOTION FOR SUMMARY
JUDGMENT BY GARRY
MCFADDEN IN HIS OFFICIAL
AND INDIVIDUAL CAPACITY,
KYLE HARRIS IN HIS OFFICIAL
CAPACITY, AND PLATTE RIVER
INSURANCE COMPANY**

Defendants Garry McFadden in his official and individual capacity, Kyle Harris in his official capacity only, and Platte River Insurance Company move for summary judgment pursuant to Rule 56 of the Federal Rules of Civil Procedure because there is no genuine issue of material fact and Defendants are entitled to judgment as a matter of law.

This motion is based upon the accompanying Brief, exhibits to the Brief, and court file in this action.

This 14th day of March, 2024.

s/ Sean F. Perrin

Sean F. Perrin (NCSB No. 22253)
WOMBLE BOND DICKINSON (US) LLP
301 S. College Street, Suite 3500
Charlotte, North Carolina 28202
Telephone: 704-331-4992
E-mail: Sean.Perrin@wbd-us.com
Attorney for Defendants

/s/ Marilyn Porter

N.C. State Bar. No. 8859
Marilyn.porter@mecklenburgcountync.gov

/s/J. George Guise

N.C. State Bar. No. 22090
George.Guise@mecklenburgcountync.gov
Mecklenburg County Sheriff's Office
801 East Fourth St.
Charlotte, NC 28202
Telephone: 704- 336-8100
*Attorneys for Defendant Sheriff Garry
McFadden*

CERTIFICATE OF SERVICE

I hereby certify that on this 14th day of March, 2024, a copy of the foregoing was filed via CM/ ECF and a copy was sent via U.S. Mail to the following non CM/ ECF participant:

Kyle Garrett Harris
Inmate # 1693707
Warren Correctional Institution
Post Office Box 728
Norlina, NC 27563

s/Sean F. Perrin